

**AFFIDAVIT OF SPECIAL AGENT ADAM BOYNTON IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT**

I, Adam Boynton, having been first duly sworn, do hereby depose and state as follows:

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been so employed for eleven years. Since April 2010, I have been assigned to the Boston Division. I am currently assigned to the Lowell Resident Agency in Lowell, Massachusetts, where my primary duty is the investigation of criminal matters, including but not limited to drug and gang investigations, financial crimes, and violent crimes against children. Prior to my current assignment, I was assigned to the Boston Division's Gang Unit and Counter Terrorism Unit. While employed by the FBI, I have investigated federal criminal violations related to, among other things, the online sexual exploitation of children, including but not limited to violations of 18 U.S.C. §§ 2422, 2251, and 2252A. I have received training in the investigation of child pornography and child exploitation and have had the opportunity to observe and review examples of child pornography (as defined in 18 U.S.C. § 2256). I submit this affidavit in support of a criminal complaint charging Patrick PLUMMER, YOB 1991, of Parsonsfield, Maine, with one count of travel with intent to engage in illicit sexual conduct, in violation of 18 U.S.C. § 2423(b); and one count of transportation of child pornography, in violation of 18 U.S.C. § 2252A(a)(1).
2. The facts in this affidavit come from my personal observations and review of records, my training and experience, and information obtained from other officers and witnesses. This affidavit is intended to show merely that there is probable cause to secure a criminal complaint and does not set forth all of my knowledge about this matter. Where statements of others are set forth in this affidavit, they are set forth in substance and in part unless specifically indicated otherwise.

STATEMENT OF PROBABLE CAUSE

3. On September 10, 2020, Detective (Det.) Matthew Carapellucci of the Georgetown Police Department in Georgetown, Massachusetts was conducting online undercover investigations into the online sexual exploitation and enticement of minors.
4. On that date, Det. Carapellucci (hereinafter, “the UC”) received an unsolicited private message while he was operating an undercover Kik account in a Kik room designated for Massachusetts teenagers who are between 13 and 17 years of age.¹ The UC was posing as a 13 year-old girl. The message received was from a user with the name “Patrick Smith” (hereinafter, “the suspect user”).
5. At the outset of the conversation, the UC informed the suspect user that she was 13 years old. The suspect user said that he was 24 years old and that he lived in Maine. During their conversation, he asked the UC if she was really 13, when her birthday was, if she wanted to hang out sometime, whether she was a virgin, and whether she was ever home alone. When she said that she sometimes was, the suspect user asked if he could take her virginity and suggested that he would travel to Georgetown on September 20, 2020, to meet her.
6. The UC and the suspect user thereafter transitioned their conversation to Google Hangouts,² where the suspect user’s name was displayed as “Patrick Dyer.” Over the course of the ensuing two weeks, the UC and the suspect user communicated multiple times per day.

¹ Kik is a free mobile application that allows users to communicate with each other by sharing text, images, and videos. Kik users can communicate individually and are also able to create chat groups.

² Google Hangouts is a multiplatform application that allows users to communicate via text or talk.

7. The suspect user often referenced sexual activity during the ongoing Google Hangouts conversation. For example, on September 10, 2020, he asked the UC, “So have you ever fingered yourself?” When the UC indicated that she hadn’t, the suspect user asked her to sneak to the bathroom and try it. When the UC told him she was nervous and asked if it would hurt, he told her, “Just do one finger[.] I bet you have a tight pink pussy.”
8. During the course of the Google Hangouts conversation, the suspect user indicated that he was going to travel to Georgetown, MA from Maine to meet the UC so that they could have sex. He asked her for ideas on where they could meet, and she suggested a parking lot near Dunkin’ Donuts. On September 10, 2020, the suspect user asked the UC for her address and name of her school, and then sent her a screenshot of a satellite image depicting a parking lot near a Dunkin’ Donuts in Georgetown. During further conversation, they discussed specific trails in the woods where they could go when he picked her up. They planned for him to come on Sunday, September 20, 2020.
9. During the course of the conversation, the suspect user sent photographs of his face and his penis to the UC and requested that the UC send photographs of herself to him. On the first day of their conversation, the suspect user asked the UC, “You’re not some dude posing as a girl trying to get me to go to jail right?”³ On September 25, 2020, he asked the UC, “you’re not a private investigator right?”
10. During the course of the conversation, the suspect user specifically discussed what type of sexual conduct would occur when he met the UC. For example, he asked the UC if he could touch her butt, play with her boobs, and push his penis inside of her while she

³ I am aware that PLUMMER is under investigation in Maine following the videotaped confrontation of PLUMMER by adult male private citizens who had posed as an underaged female willing to meet for sexual activity with him. The video, which was posted on the internet on or about August 21, 2020, identifies PLUMMER’s license plate as “DADSREX” and shows PLUMMER leaving the confrontation in a silver Subaru sedan.

was bent over. The suspect user told the UC that he could not wear a condom because he gets a rash from latex. At one point, the suspect user asked the UC if she had ever been raped. The UC responded, “Wat god no!!!” and “Y would u ask that???” The suspect user responded, “Cuz I wanna make sure you’re fresh for me duhhh.” During the course of the conversation, he told her that “if it hurts we can stop,” “It wouldn’t be considered rape if you enjoy it,” and “I definitely wanna have sex with you.” He also asked the UC if he could ejaculate inside of her or whether, alternatively, she would try swallowing it or whether he could ejaculate in her butt. During the course of the conversation, the suspect user told the UC to insert a hairbrush or other object inside her “to get ready for [him].”

11. On September 17, 2020, the suspect user told the UC that he would no longer be able to travel to meet her in Massachusetts on September 20. On Monday, September 21, 2020, the suspect user suggested Saturday, September 26, 2020 instead. He confirmed that they were “still gonna have sex” and told the UC that she should try fingering herself before they met so he wouldn’t hurt her. They decided that they would meet at 10:00 a.m. at the Georgetown Park and Ride, and the suspect user told the UC to wear a skirt without underwear and a tank top without a bra.
12. On September 26, 2020, at approximately 8:32 a.m., the suspect user texted the UC that he was on his way and would arrive around 10:00. At 9:22, he texted the UC that he was 45 minutes away. At 10:01, he texted her that he would be there in 20 minutes. At 10:25, when the UC told him that she was at the meeting spot, he asked her where she was standing.

Identification and Arrest of Patrick PLUMMER

13. During the course of the instant investigation, Det. Carapellucci learned that Kik user “Patrick Smith” was simultaneously soliciting sexual activity with three other

undercover officers posing as 14-year-old girls on the application, including expressing interest to meet the supposed girls in person in Massachusetts and New Hampshire.

14. Det. Carapellucci learned from a Nashua, NH officer that he was communicating with “Patrick Smith” in an undercover capacity using WhatsApp,⁴ which allowed him to see the cell phone number (XXX-XXX-4358) associated with the “Patrick Smith” account.
15. Det. Carapellucci consulted a commercially available database that compiles public records and learned that the 4358 phone number was associated with Patrick PLUMMER (YOB 1991) from Parsonsfield, Maine.
16. Det. Carapellucci reviewed records held by the Maine Registry of Motor Vehicles, which include a photograph for PLUMMER. I have reviewed that photograph as well as the photographs “Patrick Smith” sent to the UC, and believe that they depict the same person. The Maine RMV records also show that a silver Subaru Impreza is registered to PLUMMER with registration DADSREX.
17. Det. Carapellucci also reviewed PLUMMER’s publicly accessible social media account, which includes photographs of PLUMMER. Those photographs also appear to depict the same person in the photographs sent to the UC by the suspect user.
18. On Saturday, September 26, 2020 at approximately 10:15 a.m., an adult white male driving a silver Subaru Impreza bearing Maine registration DADSREX was observed traveling in the area of the meet location in Georgetown. When the car entered the pre-arranged meet location, the driver was identified as PLUMMER and placed under arrest for violations of Massachusetts law, including enticement of a minor. When Det. Carapellucci introduced himself to PLUMMER, PLUMMER said, “I screwed up.”

⁴ WhatsApp is a multiplatform application that allows users to communicate via text and talk.

19. Subsequent to PLUMMER's arrest, law enforcement inventoried his car prior to towing it. Among the items located inside PLUMMER's vehicle were four cellular telephones, a Dell laptop computer, and a spring-release knife.
20. PLUMMER was advised of and waived his *Miranda* warnings and agreed to speak with Det. Carapellucci. During the course of the interview, PLUMMER indicated that his cellphone number is XXX-XXX-4358. He said that he first met the UC in a "Massachusetts Teens" group on Kik and indicated that he expected to "hang out" with the UC and was "debating" sexual intercourse with her. PLUMMER gave investigators the passcodes to his phones and told them that there were approximately 30-40 images of child pornography in his iCloud account and albums app on his phones, and that the youngest child depicted therein was about 11 years old. PLUMMER indicated that he shared those images with other individuals through Kik. PLUMMER identified an Apple iPhone 11 with a silver case as his primary phone.
21. During the interview, PLUMMER admitted that he was talking online to approximately 10 underage girls on Google Hangouts, KIK, and WhatsApp. He admitted that he had traveled from his home in Parsonsfield, Maine.
22. Investigators subsequently obtained a warrant from the Haverhill District Court to search the computer and phones seized from his car. The search of the Apple iPhone 11 Pro Max seized from PLUMMER's car revealed in excess of one hundred images and videos depicting child pornography,⁵ including the following:⁶

⁵ Forensic analysis is ongoing.

⁶ To avoid unnecessary in-person interaction given the health concerns posed by the current COVID-19 pandemic, I am not providing a copy of these images to the Court. I am aware that the "preferred practice" in the First Circuit is that a Magistrate Judge view an image that agents believe constitutes child pornography by virtue of its depiction of the lascivious exhibition of a child's genitals. *United States v. Brunette*, 256 F.3d 14, 18-19 (1st Cir. 2001). Here, however, the descriptions offered "conveys to the Magistrate Judge more than [my] mere opinion that the images constitute child pornography." *United States v. Burdulis*, 753 F. 3d

- a. A video that is approximately thirty-two seconds in length, which shows a shirtless prepubescent female child with undeveloped breasts, who appears, based on her small stature, to be approximately three to four years old. The child is performing oral sex on an adult male, and the adult male ejaculates into the child's mouth.
 - b. An image file that depicts a naked adult male sitting next to a naked female child who appears to be approximately one to two years old. The male's penis is erect and he is using the fingers of his left hand to touch the child's vagina.
23. The search of the Apple iPhone 11 Pro Max revealed that PLUMMER was logged into Kik using an apparently female username ("Samantha Smith") to pose as a 19-year-old female. Initial review of the account activity accessible through the phone showed that PLUMMER appeared to be using the profile to solicit photographs from other, younger females, and that he used the profile to send child pornography to other Kik users on dates ranging from at least September 21 to September 26, 2020.
24. Two Apple iPhone 5s seized from PLUMMER's car were also found to contain in excess of one hundred images and videos depicting child pornography. On one of the Apple iPhone 5s, PLUMMER was logged into Kik as "Patrick Smith," the account with which the UC (and three other undercover officers, as mentioned above) communicated. Review of the account activity accessible through the phone showed that PLUMMER

255, 261 (1st Cir. 2014) (distinguishing *Brunette*). The children in these paragraphs appear to be no older than four – clearly younger than 18 – and depict the children engaged in sexual activity rather than “merely” the lascivious display of the children’s genitals. Furthermore, the description of each file is specific as to the child’s perceived age and/or physical characteristics. *See United States v. Syphers*, 426 F.3d 461, 467 (1st Cir. 2005) (“The best practice is for an applicant seeking a warrant based on images of alleged child pornography is for an applicant to append the images *or provide a sufficiently specific description of the images* to enable the magistrate judge to determine independently whether they probably depict real children.”) (emphasis added). The Court need not view the images described herein to find that they depict child pornography.

used the profile to send child pornography to other users on dates ranging from at least September 21 to September 25, 2020.

CONCLUSION

25. Based on all of the foregoing information, I submit that there is probable cause to believe that:

- a. on or about September 26, 2020, Patrick PLUMMER traveled in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in 18 U.S.C. § 2423(f), with another person under 18 years of age, in violation of 18 U.S.C. § 2423(b); and
- b. on or about September 26, 2020, Patrick PLUMMER knowingly transported any child pornography, using any means or facility of interstate commerce or in or affecting interstate commerce, in violation of 18 U.S.C. § 2252A(a)(1).

Sworn to under the pains and penalties of perjury,



Special Agent Adam Boynton
Federal Bureau of Investigation

SWORN to before me telephonically pursuant to Fed. R. Crim. P. 41(d)(3) this 20th day of January, 2021.


HONORABLE JENNIFER C. BOAL
UNITED STATES MAGISTRATE JUDGE